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Note verbale dated 3 April 2018 from the Permanent Mission of Namibia to the United Nations addressed to the President of the Security Council

The Permanent Mission of Namibia to the United Nations has the honour to transmit herewith an urgent letter dated 2 April 2018 from the late representative of the Frente Polisario to the United Nations, Ahmed Boukhari, addressed to the President of the Security Council (see annex).

The Permanent Mission of Namibia to the United Nations should be grateful if you would have the present letter and its annex circulated as soon as possible as a document of the Security Council.

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Annex to the note verbale dated 3 April 2018 from the Permanent Mission of Namibia to the United Nations addressed to the President of the Security Council

On behalf of the Frente Polisario, the legitimate representative of the people of Western Sahara, I am writing to you in your capacity as the President of the Security Council to place on record the following:

1. The Frente Polisario categorically refutes all the utterly unfounded and false allegations made by the representative of Morocco to the United Nations regarding the terms of the United Nations-supervised ceasefire and the related military agreement No. 1 in Western Sahara, as well as the current situation on the ground in the Territory.

2. The terms of the ceasefire of 1991 and military agreement No. 1 of 1997, accepted by both parties, the Frente Polisario and Morocco, are unequivocal and leave no room for tendentious interpretations. Furthermore, the United Nations Mission for the Referendum in Western Sahara (MINURSO) is present on the ground in Western Sahara. Its mandate as established by the Security Council involves, inter alia, monitoring and reporting on the situation regarding the ceasefire and the related military agreement No. 1. MINURSO has not reported any violations by the Frente Polisario of such a nature as falsely alleged by Morocco, a fact that already puts into question the allegations of Morocco and exposes its ulterior motives.

3. Despite the repeated delays of the self-determination referendum for which MINURSO was established, as well as Morocco's well-documented obstructionism and blatant defiance of United Nations authority and Security Council resolutions, for the past 27 years, the Frente Polisario has been firmly committed to the cause of peace as a strategic policy option. It has strictly respected the terms of the ceasefire and the related military agreement No. 1 and has constructively engaged in the United Nations peace process aimed at bringing about a peaceful and just solution providing for the self-determination of the people of Western Sahara.

4. It is well known that it was Morocco that sought to change the status quo by constructing a road across its military wall and the buffer zone in the Guerguerat area in Western Sahara. The dangerous and provocative move, to which the Frente Polisario had to respond at the time, was a clear breach of the ceasefire agreement and the related military agreement No. 1, and it remains the root cause of the current tension in the area.

5. It is also well known that Morocco has rejected the deployment of a United Nations technical mission as proposed by the Secretary-General to address the fundamental questions related to the ceasefire and related agreements, in response to the call made by the Security Council in its resolution 2351 (2017), operative paragraph 3. The Frente Polisario, which has already accepted the deployment of the United Nations technical mission, calls upon the Council to ensure the immediate implementation of its resolution 2351 (2017) in its entirety. The Frente Polisario also recalls that the current presence of some of its members in the Guerguerat area is strictly civilian and non-military.

6. The escalation of the aggressive actions and rhetoric of Morocco, in which the perpetrator presents itself as the victim, comes at a time when the Security Council is due to consider the situation concerning Western Sahara. It also takes place against the backdrop of the strongly expressed intention of the Secretary-General and his Personal Envoy for Western Sahara, Horst Köhler, to relaunch the negotiating process between the two parties, as called for by the Council in its resolutions. Apprehensive about the outcome of the negotiations, Morocco has already been searching for

excuses to disengage from the United Nations peace process and its concomitant commitments.

7. The escalation by Morocco is also due to the setbacks that it has suffered recently at the hands of the European Court of Justice, which ruled against its illegal plunder of the natural resources of Western Sahara. The strong position expressed by the African Union at its latest summit with respect to the urgent need for direct negotiations between the two parties to the conflict in Western Sahara has also dealt a major blow to the attempts of Morocco to neutralize the great contribution of Africa to peace efforts in its last colony.

8. The unfounded and false allegations of Morocco regarding the United Nations-supervised ceasefire and the current situation on the ground in Western Sahara are therefore nothing more than a smokescreen deliberately designed to divert the attention of the Security Council from the real issues that underlie the current stalemate. They are also a pre-emptive move to forestall the outcome of the dynamic efforts deployed so far by the Personal Envoy of the Secretary-General for Western Sahara with a view to relaunching the political process and bringing the two parties back to the negotiating table.

9. Recognizing its inability to impose by military force its colonial fait accompli in the whole territory of Western Sahara and, recently, to change the status quo, Morocco is desperately reaching out to the Security Council to ask for the impossible, namely, the illegal annexation of a Non-Self-Governing Territory under the responsibility of the United Nations and over which Morocco has never had any sovereignty.

10. The recent moves of Morocco clearly represent another episode of its blackmail policy and defiant behaviour, which, unfortunately, was not met with the necessary and robust response from the Security Council. Such moves include, among others, opposing human rights monitoring within the MINURSO mandate, expelling the mission civilian component, trying to change the status quo in the Guerguerat area, imposing that MINURSO vehicles bear Moroccan number plates, affixing stamps on the passports of MINURSO staff members upon entry into and exit from Western Sahara and repeatedly defying the authority of MINURSO in its mission area.

11. The Frente Polisario therefore urgently calls upon the Security Council to ensure that such diversionary tactics do not distract it from the real issues that must be addressed for the negotiating process between the two parties to advance towards its ultimate objective, namely, a peaceful and just solution providing for the self-determination of the people of Western Sahara. The Frente Polisario also calls upon the Council to use its authority to urge Morocco to engage seriously and constructively in the political process, to respect strictly the terms of the ceasefire and military agreement No. 1 and to desist from taking any action that may increase tension in the region and threaten its stability and security.

12. The Frente Polisario would like to reiterate to the Security Council, the Secretary-General and his Personal Envoy for Western Sahara its firm commitment to the terms of the ceasefire and the related military agreement No. 1. The Frente Polisario also remains strongly committed to direct negotiations without preconditions under the auspices of the Secretary-General and his Personal Envoy for Western Sahara, with a view to reaching a peaceful and just solution that provides for the self-determination of the people of Western Sahara.

I should be most grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) Ahmed **Boukhari**
Representative of the Frente Polisario to the United Nations